

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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|--------------------------------|---|--------------------------------------|
| JURGEN DOMINIK, an individual, |) | Case No. 07-CV-0171-IEG (JMA) |
| |) | |
| Plaintiff, |) | ORDER VACATING DATES AND |
| |) | STAYING PROCEEDINGS AS TO |
| v. |) | DEFENDANT LEHMAN BROTHERS |
| |) | MERCHANT BANKING PARTNERS II, |
| LEHMAN BROTHERS MERCHANT |) | L.P. |
| BANKING PARTNERS, II, L.P., a |) | |
| Delaware corporation, |) | |
| |) | |
| Defendants. |) | |
| |) | |
| _____ |) | |

The Court convened a telephonic Case Management Conference on October 6, 2008 at 2:00 p.m.

Counsel for Defendants previously notified the Court that Defendant Lehman Brothers Holdings, Inc. filed a voluntary petition seeking bankruptcy protection on September 15, 2008. See Doc. 51. Counsel for Defendants has now also informed the Court that an Order Commencing Liquidation regarding Defendant Lehman Brothers Inc. was issued by the United States District Court, Southern District of New York on September 19, 2008. An automatic stay of proceedings pursuant to Section 362 of the Bankruptcy Code is thus in place as to both defendants.

1 The future status of the remaining defendant in this case,
2 Lehman Brothers Merchant Banking Partners II, L.P., is presently
3 unknown. Counsel for Defendants requested a 90-day stay on
4 behalf of this defendant in order develop further information in
5 this regard. Counsel for Plaintiff agreed that a stay of limited
6 duration makes sense under the circumstances.

7 Accordingly, and after conferring with the chambers of the
8 Honorable Irma E. Gonzalez, **IT IS HEREBY ORDERED:**

9 1. All remaining dates in this case are vacated;

10 2. Counsel for Defendants shall file a copy of the Order
11 Commencing Liquidation regarding Defendant Lehman Brothers Inc.
12 on the Court's docket;

13 3. The action is stayed as to Defendant Lehman Brothers
14 Merchant Banking Partners II, L.P. for ninety (90) days from the
15 date of this Order; and

16 4. The Court shall convene a telephonic Case Management
17 Conference on **January 5, 2009** at **9:30 a.m.** Counsel for Plaintiff
18 and for Defendant Lehman Brothers Merchant Banking Partners II,
19 L.P. shall participate in the conference. The Court will
20 initiate the conference call.

21 **IT IS SO ORDERED.**

22 DATED: October 6, 2008

23 
24 Jan M. Adler
25 U.S. Magistrate Judge
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